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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (S) No.6974 of 2007

PETITIONER Motilal s/o Late Ram Bharos Ram, aged about 51 years, working as Head Clerk in the o/o Divisional Forest Officer, South Surguja Division Ambikapur, District Surguja(CG)

Versus

RESPONDENTS

1 State of Chhattisgarh Through the Secretary, Department of Forest, DKS Bhawan, Mantralay, Raipur (C.G.)

2 The Additional Secretary, Department of Forest, DKS Bhawan, Raipur(CG)

3 The Divisional Forest Officer, Forest Division, South Surguja, Ambikapur, District Surguja(CG)

4 Shri N. Khalkho, Head Clerk, Working plan Forest Division, Ambikapur, District Surguja(CG)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri N.Naha Roy, counsel for the petitioner.

Shri Ajay Dwivedi, Panel Lawyer, for the State/ respondents no. 1 to 3.

Shri A.V.Shridhar, counsel for respondent no.4 on Caveat Petition No. 892/2007

ORAL ORDER
(22.11.2007)

SUNIL KUMAR SINHA, J.

Heard.

The petitioner is aggrieved with the order dated 15.11.2007, by which he has been transferred from South Forest Division, Ambikapur to Circle office Ambikapur.

Learned counsel for the petitioner argues that the petitioner holds a substantive post of Head Clerk, whereas, he has been transferred and directed to join against the post of Accounts Officer.

I have heard learned counsel for the parties at length.

Earlier to this, another writ petition vide W.P.(S)2635/2007 was filed by the petitioner, in which, it was submitted that the petitioner has been working as Head Clerk in the said office and one Mr. N. Khalkho (respondent No.4) of the said petition has been directed to work as Head Clerk in place of the petitioner and no posting was given to the

petitioner. On this contention, this Court, by order dated 2.5.2007, directed that the petitioner shall not be disturbed till an order giving him new place of posting is passed.

It is after the order, passed by this Court; impugned order dated 15th November, 2007(Annexure P-1) has been passed giving new place of posting to the petitioner.

A perusal of the impugned order would show that there is also reference of the earlier writ petition in the said order and another writ petition filed by respondent No.4, and the authorities have clearly stated that in compliance of the order passed by this Court, this impugned order has been passed.

I do not find any irregularity in the order passed by the concerned authority on 15th November, 2007 in the prevailing facts and circumstances of this case.

The petition has no merits. The same is dismissed at the motion stage itself.

Accordingly, Caveat Petition No. 892/2007 stands discharged.

Sd/-
Sunil Kumar Sinha
Judge

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